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C O N F I D E N T I A L SECTION 01 OF 02 LJUBLJANA 000040

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SUBJECT: SLOVENIA/CROATIA: THE NATO REFERENDUM NOBODY WANTS

Classified By: CDA Brad Freden, reasons 1.4(b,d)

¶1. (C) SUMMARY. Marjan Podobnik, a one-time agrarian politician and head of a patriotic NGO called the June 25th Institute, formally submitted more than 5,300 signatures to parliament on February 16 to initiate a request for a referendum on Croatia's NATO accession protocol. Unless a compromise is reached in the next 24 hours -- a prospect we believe is unlikely -- Slovenia's ratification process will be put on hold for five weeks while Podobnik tries to gather the necessary 40,000 signatures to force a referendum. Parliament will meet on February 18 to decide whether to start the 35-day clock. Responding to Podobnik's initiative, in televised remarks PM Borut Pahor and opposition leader Janez Jansa spoke out strongly in favor of ratification without delay, and urged citizens not to sign any referendum petition. If Podobnik is unable to get 40,000 signatures, the petition campaign ends on March 25. In this case, MFA Legal Advisor Ondina Blokar Drobic told us that Gos would compress its legal process as much as possible in order to be able to deposit its instrument of ratification in time for the NATO summit, but it would be extremely close. END SUMMARY.

¶2. (C) The government ran a full-court press to stave off a referendum. Marko Makovec, the PM's foreign policy advisor, told us that the PM's staff had been in contact with nearly every member of the National Assembly (lower house) and all members of the National Council (upper house) to explain why ratifying Croatia's accession was in Slovenia's national interest. (N.B. Working in parallel with the government, the Embassy made a similar argument to leaders of all the major parliamentary groups, including Podobnik's SLS, and the President of the National Council.) They succeeded in heading off a referendum initiative from the National Council and thought as of February 13 that they had reached a compromise with Podobnik. However, Podobnik and a small band of flag-waving supporters marched into parliament on February 16 and presented more than the necessary 2500 signatures.

¶3. (C) In response, Pahor and Jansa are taking their case in favor of speedy ratification to the public. Pahor appealed to citizens in a televised February 16 address to not sign the initiative, while Jansa held a press conference on February 17 to announce that SDS, the main opposition party, would oppose the initiative. Bojan Srot, SLS party leader, told us February 13 that without the infrastructure of a large party, the June 25th Institute would be unlikely to get the necessary 40,000 signatures. The government's legal experts are also examining the signature submissions, with some press sources noting that there are several procedural requirements that, if not precisely fulfilled, could derail the initiative.

¶4. (C) The head of the Slovene MFA's Security Policy Division, Stanislav Vidovic, told CDA on February 17 that the Slovene government is doing "all it can" to ensure ratification, but the constitutional provisions for the referendum process might delay ratification beyond April 3.

Blokar Drobic explained that Pavel Gantar, the speaker of parliament, moved up the extraordinary session of parliament to February 18 so that the 35-day period for a referendum initiative will end on March 25, leaving a narrow window for Slovenia to deposit its ratification instrument ahead of the summit. Vidovic said that the government must respect Slovenia's constitutional process, noting that "after all, this is a democracy." Vidovic noted that Slovenia's government, under both Jansa and Pahor, has been a staunch supporter of Croatia's accession, advocating for Croatian membership at the Riga and Bucharest summits, as well as pushing for ratification at home. If the referendum process delays ratification, Vidovic said the government would not abandon the effort, but would fight to ensure it gets done as soon as possible.

Comment

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¶5. (C) With the exception of Marjan Podobnik and his supporters, nobody in Slovenia seems to want a referendum on Croatia's NATO membership. Parliament approved Croatia's accession by a 5/6 majority, and polls say the public sees a referendum as a waste of time and money. Nevertheless, Slovenia is hamstrung by its constitution, which makes it relatively easy for opponents at least to delay the process and perhaps to force a referendum. The Prime Minister's office has told us that Pahor will pull out all the stops to ensure that the referendum initiative will not succeed and Jansa's public opposition to a referendum helps the government's cause. As we look at all the options for ensuring the U.S. can meet its goal of having Croatia enter

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NATO on April 3, we are struck by how few viable options we have to choose from. We will consult with the PM's advisors and other top officials in the next 48 hours to see how we can best support the government's "no" campaign, but a well-calibrated public diplomacy campaign that supports the government's efforts may be our most effective approach.

FREDEN